



1 EAB Plaza  
Uniondale, NY 11555  
Phone (516) 296-5000

February 14, 2001

Kevin A. Malone, Esq.  
Krupnick Campbell Malone Roselli  
Buser Slama Hancock McNelis  
Liberman & McKee, P.A.  
700 Southeast Third Avenue, Suite 100  
Fort Lauderdale, FL 33316-1186

Craig A. Stewart, Esq.  
Arnold and Porter  
399 Park Avenue  
New York, NY 10022

Re: European Community v. RJR Nabisco, Inc., et al.  
Case No. 00 CV 6617 (NGG)

Department of Amazonas, et al. v. Philip Morris, et al.  
Case No. 00 CV 2881 (NGG)

Records of: European American Bank – account of Bladen A. Rizo

Dear Messrs. Malone and Stewart:

In response to your letter dated January 12, 2001 to Alan Horn, please be advised that the account records of Bladen A. Rizo no longer exist. The subject account was opened in 1987 and closed in 1992. The Bank's account records are destroyed after six (6) years from the closing date of the account. As a result, we are unable to comply with your request.

If you need any further information, please call me at 516-296-5227.

Sincerely yours,

EUROPEAN AMERICAN BANK

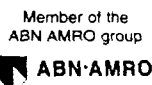
By: Linda Pisano  
Linda Pisano  
Senior Paralegal

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FEB 23 2001

K.C.M.R.B.S. & H

Member FDIC





February 22, 2001

Kevin A. Malone  
Krupnick, Campbell, Malone, Roselli,  
Buser, Slama, Hancock, McNelis, Liberman & McKee  
700 Southeast Third Avenue, Suite 100  
Fort Lauderdale, FL 33316-1186

Dear Mr. Malone:

Subject: European Community v. RJR Nabisco, Inc. et al.

Case number: 00 CV 661 (NGG)

Department of Amazonas, et al. v. Philip Morris, et al.

Case number: 00 CV 2881 (NGG)

HSBC Bank USA is unable to locate any account relationship with Martha L. Estrada on the above matter.

The by you supplied First Federal Savings and Loan account # 0866046774 is no longer to be located on our system. Please note that as per the McKinney's Banking Law ¶ 128 HSBC Bank USA maintains a 6-year retention period. We suspect that this account must have closed prior to February of 1995.

Your Subpoena was served at an office, which may not have held any account for the individual(s) on the Subpoena. Although HSBC Bank USA has used it's best efforts to search for any deposit account listed in it's computerized records in order to respond to the Subpoena, you should be aware that not every banking account relationship is maintained in the computerized deposit account system.

Should you have any questions, please contact us at (716) 821-1349.

Sincerely,

Legal Processing Department

CC.: Craig A Stewart

HSBC Bank USA  
One HSBC Center, Buffalo, NY 14203

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K.C.M.R.B.S. & H

**Bank of America**

March 6, 2001

Bank of America Legal Department  
NC1-002-29-01  
101 South Tryon Street, 29th Floor  
Charlotte, NC 28255**VIA FACSIMILE**  
**(954) 763-8292**Tel 704.386.1621  
Fax 704.386.1670Kevin A. Malone, Esq.  
Kropnik, Campbell, Malone, Roselli, Busser, Slammer, Hancock, McEllis, Lieberman & McKey  
700 SE 3<sup>rd</sup> Avenue  
Suite 100  
Ft. Lauderdale, Florida 33316-1186**Re: European Community vs. RJR Nabisco, Inc., et al.**  
**Case No.: 00 CV 6617 (NGG)****Department of Amazonas, et al. v. Philip Morris, et al.**  
**Case No.: 00 CV 2881****Records of Barnett Bank**  
**Account Name: Maria A. Otero**

Dear Mr. Malone:

The following is in response to your letter dated January 12, 2001 in regards to the above-referenced actions. Bank of America respectfully declines your request that it voluntarily disclose whether the records described in the rider attached to your January 12, 2001 letter exists and declines to voluntarily preserve any such records.

Bank of America will, of course, respond to a validly issued and served subpoena relating to such records.

Please contact me if you have any questions or comments in regards to the foregoing.

Very truly yours,

Robert M. Rudnicki  
Assistant General Counsel

RMR/ajk

cc: Craig Stewart

